

UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF NEW HAMPSHIRE

Mohammed Reza Enayat

v.

Civil No. 06-cv-190-JD

United States of America

O R D E R

A petition has been filed pursuant to 28 U.S.C. § 2255 claiming ineffective assistance of counsel during the underlying criminal case (United States v. Enayat, 03-cr-082-01-JD).

The petitioner currently has a direct appeal pending in the Court of Appeals for the First Circuit. Absent extraordinary circumstances, which do not appear to exist in this case, it is the rule in this circuit that the district court should decline to hear a section 2255 petition based on claims of ineffective assistance of counsel until the direct appeal has been decided.

Therefore, the petition is dismissed without prejudice.

SO ORDERED.

  
Joseph A. DiClerico, Jr.  
United States District Judge

June 12, 2006

cc: Mohammed Reza Enayat, pro se  
Aixa Maldonado-Quinones, Esquire